

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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IN RE TREMONT SECURITIES LAW, STATE Master File No.  
LAW AND INSURANCE LITIGATION : 08 Civ. 11117 (TPG)  
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This Document Relates to: :  
  
INSURANCE ACTION, 09 Civ. 557 (TPG), :  
and specifically to: :  
:  
CUMMINS INC., as the authorized representative  
of the Cummins Inc. Grantor Trust dated : 10 Civ. 9252 (TPG)  
September 10, 2007, as amended, :  
:  
Plaintiff, : ECF CASE  
: Electronically Filed  
:  
- against - : **DECLARATION OF**  
: **JASON C. VIGNA**  
NEW YORK LIFE INSURANCE COMPANY, :  
et al., :  
:  
Defendants.  
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I, JASON C. VIGNA, declare pursuant to 28 U.S.C. § 1746 as follows:

1. I am a member of the bar of this Court and am associated with the firm of Skadden, Arps, Slate, Meagher & Flom LLP, attorneys for defendants Tremont Group Holdings, Inc., Tremont Partners, Inc., Tremont (Bermuda) Limited, Tremont Capital Management, Inc. and Rye Investment Management (collectively, the "Tremont Defendants") in this action.

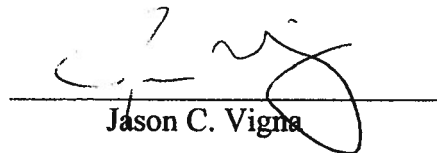
2. I submit this Declaration in support of the Tremont Defendants' Motion To Dismiss the Amended Complaint (the "Motion") and to place before the Court true and correct copies of the following documents referenced in the accompanying memorandum of law in support of the Motion:

Exhibit	Document
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|----|---|
| A. | Tremont Opportunity Insurance Fund, L.P. Amended and Restated Confidential Private Placement Memorandum, dated Nov. 1, 2006 |
| B. | Tremont Opportunity Fund III, L.P. Second Amended and Restated Limited Partnership Agreement, dated Aug. 1, 2008.           |

I declare under penalty of perjury that the foregoing is true and correct.

Executed on this 31st day of January, 2012, in New York, New York.

  
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Jason C. Vigna